



Substitute House Bill No. 5806

Public Act No. 08-26

AN ACT CONCERNING BOATING SAFETY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 15-129 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) [The provisions of this section shall apply to vessels] Vessels operated on state and federal waters shall comply with the federal and state safety and equipment requirements contained in this chapter. The federal requirements cited in this section are incorporated herein by reference. (1) Every vessel shall [carry for each person on board, so placed as to be readily accessible, at least one buoyant personal flotation device. The operator or owner of any vessel being used for recreational purposes, other than a vessel required to have a certificate of inspection issued by the Coast Guard, shall require any child under twelve years of age who is aboard such vessel to wear a personal flotation device while such vessel is underway unless the child is below deck or in an enclosed cabin. Sailboards shall be exempt from carrying a personal flotation device if the mast of the sailboard is secured to the hull by a leash or safety line] comply with the requirements of 33 CFR Part 175, Subpart B, as amended from time to time, regarding the number and type of personal flotation devices required to be on board the vessel, including requirements regarding

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the use of personal flotation devices by children. (2) Every [motorboat with enclosed fuel storage space or an enclosed engine compartment shall be equipped with devices for ventilating flammable or explosive gases] vessel that has gasoline engines for electrical generation, mechanical power or propulsion shall comply with the requirements of 33 CFR Part 183, Subpart K, 33 CFR 175.201, and 46 CFR Subpart 25.40, as amended from time to time, regarding ventilation applicable to the vessel. (3) Every [motorboat with a carbureted inboard engine shall have the carburetor of such engine equipped with a flame arrestor or backfire trap unless such engine is mounted in the aftermost part of the vessel with no provisions for carrying passengers behind the forward edge of the engine and the carburetor of such engine has its intake opening above the gunwale line of the vessel in the open atmosphere and mounted so backfire flames are directed to the rear or vertically away from the vessel and its occupants] gasoline engine installed in a motorboat after April 25, 1940, except outboard motors, shall comply with the requirements of 46 CFR Subparts 25.35 and 58.10, as amended from time to time, regarding backfire flame controls. (4) Every motorboat shall have its engine equipped with an effective muffler or muffler system. (5) All [inboard] motorboats [, all outboard motorboats twenty-six feet or over in length, and all outboard motorboats less than twenty-six feet in length which have a compartment in which gases may accumulate, shall be equipped with a fire extinguisher] shall comply with the requirements of 46 CFR Subpart 25.30, as amended from time to time, regarding fire extinguishers applicable to the vessel. (6) Every [motorboat sixteen feet or more in length shall be equipped with a whistle or horn-type sound-producing device capable of producing a blast of two seconds or more in duration. On motorboats sixteen feet or more but less than twenty-six feet in length such device shall be mouth, hand or power-operated and audible for at least one-half mile. On motorboats twenty-six feet or more but less than forty feet in length such device shall be hand or power-operated and audible for at least one mile. On motorboats forty

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feet or more but less than sixty-five feet in length such device shall be power-operated and audible for at least one mile. Every motorboat twenty-six feet or more in length shall be equipped with a bell capable of producing a clear bell-like tone of full round characteristics] vessel shall comply with the requirements of 33 USC 2032 to 2038, inclusive, as amended from time to time, and 33 CFR Part 86, as amended from time to time, regarding sound signal appliances applicable to the vessel. (7) Every vessel shall comply with the requirements of 33 USC 2037, as amended from time to time, and 33 CFR Part 87, as amended from time to time, regarding visual distress signals and the use thereof. Every vessel operated on the waters of Long Island Sound or Fishers Island Sound [between sunset and sunrise] shall [carry] comply with the requirements of 33 USC 2037, as amended from time to time, and 33 CFR Part 175, Subpart C, as amended from time to time, regarding visual distress signals [suitable for night use. Every vessel sixteen feet or more in length, except manually propelled vessels and open sailboats that are less than twenty-six feet in length, and are not equipped with propulsion machinery, operated on the waters of Long Island Sound or Fishers Island Sound at any time shall carry visual distress signals suitable for day and night use. No] applicable to the vessel, unless specifically exempted therefrom. Each person, operator [or] and owner in a vessel shall [display or allow the display of a visual distress signal except when assistance is needed because of immediate or potential danger to persons aboard] comply with 33 CFR 175.140, as amended from time to time, regarding restrictions on the use of visual distress signals.

(b) No person shall operate or give permission for the operation of any motorboat on the waters of this state unless such motorboat is at all times equipped with a muffler or muffler system which enables such motorboat to be operated in compliance with subsections (c) and (d) of this section and such muffler or muffler system is in use. For purposes of this section "muffler" or "muffler system" means a sound

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suppression device or system designed and installed to abate the sound of exhaust gases emitted from an internal combustion engine and causes such engine to operate in compliance with subsections (c) and (d) of this section. "Muffler system" includes, but is not limited to, an underwater through-the-propeller-hub exhaust outlet system.

(c) No person shall operate or give permission for the operation of any motorboat on the waters of this state in such a manner as to exceed the following noise levels: (1) For engines manufactured before January 1, 1993, a noise level of 90 dB(A) when subjected to a stationary sound level test as prescribed by Society of Automotive Engineers Specification Number J2005; (2) for engines manufactured on or after January 1, 1993, a noise level of 88 dB(A) when subjected to a stationary sound level test as prescribed by Society of Automotive Engineers Specification Number J2005. If a motorboat is equipped with more than one engine, the said noise levels shall apply when all such engines are simultaneously in operation.

(d) No person shall operate or give permission for the operation of any motorboat on the waters of this state in such a manner as to exceed a noise level of 75 dB(A) measured as specified by Society of Automotive Engineers Specification Number J1970.

(e) Any officer authorized to enforce the provisions of this chapter who has reason to believe that a motorboat is being operated in excess of the noise levels established in subsection (c) or (d) of this section may request the operator of such motorboat to submit the motorboat to an on-site test to measure noise levels, with the officer on board such motorboat if such officer chooses, and the operator shall comply with such request. If such motorboat exceeds the noise levels established in subsection (c) or (d) of this section, the officer may direct the operator to take immediate and reasonable measures to correct the violation, including returning the motorboat to a mooring and keeping the motorboat at such mooring until the violation is corrected or

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ceases.

(f) Any officer who conducts a motorboat sound level test as provided in this section shall be qualified in motorboat noise testing by the Department of Environmental Protection. Such qualification shall include, without limitation, instruction in selection of the measurement site and in the calibration and use of noise testing equipment.

(g) No person shall operate or give permission for the operation of any motorboat on the waters of this state that is equipped with a muffler or muffler system cutout, bypass or similar device which prevents the proper operation of or diminishes the operating capacity of the muffler, or causes the motorboat to be operated in violation of subsection (c) or (d) of this section except that the commissioner shall allow the installation and operation of those muffler system cutouts, bypasses or similar devices that are demonstrated to the satisfaction of the commissioner to operate in accordance with the provisions of subsection (c) or (d) of this section.

(h) No person shall remove a muffler or muffler system from a motorboat or alter a muffler or muffler system on a motorboat so as to prevent the operation of such motorboat in compliance with subsections (c) and (d) of this section.

(i) No person shall sell or offer for sale any motorboat which is not equipped with a muffler or muffler system which enables such motorboat to be operated in compliance with subsections (c) and (d) of this section. This subsection shall not apply to the sale or offer for sale of a motorboat which will be operated solely for the purpose of competing in marine races or regattas, provided upon the sale of a motorboat which is not equipped with such a muffler or muffler system, the seller shall provide to the purchaser, and the purchaser shall date and sign, the following statement: "I understand that this motorboat may not be operated for any purposes other than competing

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in a marine race or regatta authorized under section 15-140b of the Connecticut general statutes". Such statement shall include the hull identification number of the motorboat being purchased. Not later than five days after the sale, the seller shall submit to the commissioner a copy of such signed and dated statement. The seller and purchaser shall each retain a copy of the statement.

(j) The provisions of subsections (c) and (d) of this section shall not apply to the operation of a motorboat participating in a marine race or regatta authorized by the commissioner under section 15-140b.

(k) All devices and equipment required by this section shall be of a type and carried in the quantity and location approved by the commissioner or by the United States Coast Guard.

(l) Sirens shall not be used on any vessel except that law enforcement vessels of the United States, this state or a political subdivision of this state may use sirens when engaged in law enforcement activities or when identification is necessary for safety reasons. Any vessel may be equipped with a theft alarm signal device if such device is so designed that it cannot be used as an ordinary warning signal.

(m) Any person who violates any provision of subsection (a) of this section shall have committed an infraction. Any person who fails to comply with a request or direction of an officer made pursuant to subsection (e) of this section shall be fined not less than three hundred fifty dollars or more than five hundred fifty dollars and shall be fined not less than four hundred fifty dollars or more than six hundred fifty dollars for each subsequent offense. Any person who violates the provisions of any other subsection of this section shall be fined not less than one hundred dollars or more than five hundred dollars.

Sec. 2. Section 15-129a of the general statutes is repealed and the

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following is substituted in lieu thereof (*Effective October 1, 2008*):

[(a) Every vessel using state or federal waters, when underway in all weathers from sunset to sunrise, shall display the following prescribed lights: (1) A power-driven vessel, the construction of which was started after December 24, 1981, 12 meters (39'4") or more in length and less than 20 meters (65'6") in length shall exhibit side lights, a stern light, and a masthead light forward except that any masthead light need not be exhibited forward of midships but shall be exhibited as far forward of midships as is practicable and such vessel may exhibit an aft masthead light higher than the forward masthead light; (2) a power-driven vessel, the construction of which was started before December 25, 1981, less than 20 meters (65'6") in length and any power-driven vessel less than 12 meters (39'4") in length may exhibit those lights prescribed for a vessel, the construction of which was started after December 24, 1981, 12 meters (39'4") or more in length and less than 20 meters (65'6") in length, or in lieu of such combination of lights such vessels may exhibit side lights and an all-around white light at the stern; (3) a sailboat, under sail alone, 7 meters (22'10") or more in length and less than 20 meters (65'6") in length shall exhibit side lights and a stern light and such sailboat may exhibit at or near the top of the mast, where they can best be seen, two all-around lights in a vertical line, the upper red and the lower green. Such sailboat may have the side lights and stern lights combined in one lantern carried at or near the top of the mast where it can best be seen but if a combined lantern is used, the two all-around red and green mast lights shall not be exhibited in conjunction with the combined lantern; (4) a sailboat, under sail alone, of less than 7 meters (22'10") in length and all vessels under oars shall, if practicable, exhibit the lights prescribed for a sailboat 7 meters (22'10") or more in length and less than 20 meters (65'6") in length or shall have aboard and ready at hand an electric torch or lighted lantern showing a white light which shall be exhibited in sufficient time to prevent collision. In lieu of the lights required by

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this section, a power-driven vessel or a sailboat may display the lights prescribed by international regulations, in the manner and under the condition provided therein.]

(a) Every vessel using state or federal waters shall comply with the following federal requirements, which are incorporated herein by reference, regarding the use of navigation lights: 33 USC 2020 to 2021, inclusive, as amended from time to time, 33 USC 2023 to 2029, inclusive, as amended from time to time, 33 USC 2038, as amended from time to time, and 33 CFR Part 84, as amended from time to time.

(b) The visibility for the lights required by this section shall [be as follows: (1) All stern lights, two miles; (2) all white, red or green all-around lights, two miles; (3) side lights on a vessel less than 12 meters (39'4") in length, one mile; (4) side lights on a vessel 12 meters (39'4") or greater in length, two miles; (5) masthead lights on a vessel less than 12 meters (39'4") in length, two miles; (6) masthead lights on a vessel 12 meters (39'4") or greater in length, three miles; and (7) anchor light, two miles. For the purposes of this section, visibility means visible on a dark night with clear atmosphere] comply with 33 USC 2022 and 2038, as amended from time to time and 33 CFR Part 84, as amended from time to time, which federal requirements are incorporated herein by reference.

(c) When lights are required pursuant to subsection (a) of this section, no other lights shall be exhibited, except lights that (1) cannot be mistaken for the lights required pursuant to this section and do not impair the visibility or distinctive character of such required lights, and (2) do not interfere with the keeping of a proper lookout.

[(d) Power driven and sailing vessels less than 20 meters but more than 7 meters in length at anchor between sunset and sunrise shall display an anchor light. Vessels less than 7 meters in length shall not be required to display an anchor light except when anchored in or near

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a narrow channel, fairway or anchorage or where other vessels normally navigate. Vessels less than 20 meters in length when at anchor in a special anchorage area as designated by the United States Secretary of Transportation shall not be required to exhibit an anchor light.]

(d) Every vessel shall comply with the requirements of 33 USC 2030, as amended from time to time, which requirements are incorporated herein by reference, regarding the exhibition of anchor lights when a vessel is at anchor or aground.

(e) [Flashing lights shall not be used by any vessel except as provided in this subsection.] Flashing blue lights may be used by law enforcement vessels of the United States, this state or a political subdivision of this state [when such vessels are engaged in law enforcement activities or when identification of such vessels is necessary for safety reasons. Flashing white lights may be used on any vessel in accordance with rules and regulations of the United States Coast Guard] in accordance with 33 CFR 88.11, as amended from time to time, which is incorporated herein by reference.

(f) Flashing red and yellow light signals may be used by vessels engaged in government sanctioned public safety activities and commercial vessels performing similar functions in accordance with 33 CFR 88.12, which is incorporated herein by reference.

[(f)] (g) Violation of any provision of this section shall be an infraction.

Sec. 3. Section 15-130 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

The [commissioner] Commissioner of Environmental Protection may modify or suspend any requirement of sections 15-129 and 15-129a in respect to any class of vessels or vessels using any water or

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class of waters upon finding that such requirement does not materially aid boating safety and is unduly burdensome and inconvenient. If, however, any requirement of section 15-129, as amended by this act, or 15-129a, as amended by this act, is a federal standard, the commissioner may not modify or suspend such requirement unless: (1) The Secretary of the United States Coast Guard has issued an exemption under 46 USC 4305 or the state of Connecticut is exempted from preemption under 33 CFR 175.5, or (2) the modification or suspension of the federal standard is necessary to meet uniquely hazardous conditions or circumstances. In the event the Secretary of the United States Coast Guard has not disapproved of a modification or suspension under 46 USC 4306, the commissioner may modify such standards under section 15-129, as amended by this act, or section 15-129a, as amended by this act.

Sec. 4. Section 15-140e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) [On and after the following dates, no] No resident of the state, person owning real property in the state or person owning a vessel in the state shall operate on the waters of the state a vessel which is required to be registered or numbered pursuant to this chapter unless such person has a valid vessel operator license issued by the United States Coast Guard or has obtained a safe boating certificate issued by the Commissioner of Environmental Protection. [: For operators who are less than twenty years of age, June 23, 1993; for operators who are less than twenty-five years of age, October 1, 1993; for operators who are less than thirty years of age, October 1, 1994; for operators who are less than thirty-five years of age, October 1, 1995; for operators who are less than forty years of age, October 1, 1996; and for all operators forty years of age or older, October 1, 1997. Notwithstanding the provisions of this section, the commissioner may issue a certificate to a person who has successfully completed a course in safe boating operation

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approved by the commissioner before the date such person is required to take the exam under this section.] No owner of a vessel shall knowingly authorize or permit a person who is less than sixteen years of age who is required by this section to obtain a safe boating certificate issued by the Commissioner of Environmental Protection to operate such vessel on the waters of the state without a safe boating certificate, unless such person is under the direct onboard supervision of a person who is at least eighteen years of age who has been issued a safe boating certificate and who has held such certificate for at least two years. A safe boating certificate may be suspended or revoked, pursuant to section 15-133, 15-140l or 15-140n, and shall be valid for the life of the person to whom it is issued unless otherwise suspended or revoked.

(b) A safe boating certificate shall be issued under subsection (a) to any applicant regardless of age who provides proof that [he] such applicant has: (1) [successfully] Successfully completed a course in safe boating operation approved by the Commissioner of Environmental Protection, which courses may include those offered by the United States Power [Squadron] Squadrons, Coast Guard Auxiliary or other organizations, or (2) successfully passed an equivalency examination testing knowledge of safe boating operation administered by the commissioner. [, (3) owned a vessel which was registered or numbered pursuant to this chapter in his name as an individual during any period in the five years preceding October 1, 1992, or (4) been a member during any period in the five years preceding October 1, 1992, of the United States Power Squadron or United States Coast Guard Auxiliary. On and after October 1, 1997, no certificate shall be issued pursuant to subdivisions (3) and (4) of this subsection.]

(c) Notwithstanding subsection (a) of this section, any person who purchases a new or used vessel [after July 11, 1991,] may, upon vessel registration, apply to the [department] Department of Environmental

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Protection for a temporary safe boating certificate which shall be valid for ~~[six]~~ three months from the date of registration. No person shall be issued more than one temporary safe boating certificate.

(d) Any person operating a vessel other than a personal watercraft, as defined in section 15-140j, which is rented for a period of fourteen days or less from a ~~[person or organization engaged in the commercial rental of vessels]~~ boat livery need not obtain a certificate during the rental period. ~~[Persons or organizations engaged in the commercial rental of vessels]~~ An owner, agent or employee of a boat livery shall furnish to each rental customer literature on safety and rules of navigation as supplied by the commissioner.

(e) Any person enrolled in a course in safe boating operation approved by the Commissioner of Environmental Protection may operate a vessel without a safe boating certificate when under the direct onboard supervision of a boating instructor holding a valid instructor number issued by the Department of Environmental Protection.

~~[(e)]~~ (f) Any person who violates any provision of this section shall be fined not less than sixty nor more than two hundred fifty dollars for each such violation.

~~[(f)]~~ (g) Any course in safe boating operation approved by the Commissioner of Environmental Protection, as described in subsection (b) of this section, shall include instruction on the proper means of: (1) Inspecting a vessel and trailers used for transporting such vessels for the presence of vegetation; and (2) properly disposing of such vegetation.

Sec. 5. Section 15-140f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) The Commissioner of Environmental Protection shall formulate

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courses in safe boating operation.

(b) The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, setting forth the content of safe boating operation courses. Such regulations may include provisions for examinations, issuance of safe boating certificates and establishment of reasonable fees for the course and examination and for issuing certificates, temporary certificates and duplicate certificates. Any fees collected pursuant to such regulations shall be deposited in the boating account established pursuant to section 15-155.

(c) No person shall teach a course in safe boating operation that satisfies the requirements for issuance of a safe boating certificate if the commissioner has not approved such course.

(d) No Department of Environmental Protection employee or agent shall use Department of Environmental Protection safe boating course materials for personal gain.

[[c)] (e) Any person who holds a certificate from another state that has a reciprocal agreement with the commissioner may operate a vessel on the waters of this state.

(f) Any person who violates any provision of this section shall be fined not less than sixty dollars or more than two hundred fifty dollars for each violation.

Sec. 6. Section 15-140j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) As used in this section, "personal watercraft" is any inboard powered vessel less than sixteen feet in length which has an internal combustion engine powering a water-jet pump as its primary source of motor propulsion and which is designed to be operated by a person sitting, standing or kneeling on the vessel, rather than the conventional

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manner of sitting or standing inside the vessel.

(b) [On and after June 23, 1993, no] No person shall operate a personal watercraft unless [he] such person has [successfully completed a course in safe personal watercraft handling approved by the Commissioner of Environmental Protection and has] been issued a certificate of personal watercraft operation by the Commissioner of Environmental Protection. No owner of a personal watercraft shall knowingly authorize or permit a person who is less than sixteen years of age who does not have a certificate of personal watercraft operation issued by the commissioner to operate such personal watercraft on the waters of the state. Notwithstanding the provisions of this section, the commissioner may modify or suspend requirements for a certificate of personal watercraft operation by written authorization with respect to any marine event authorized by the commissioner or upon receipt of a copy of the United States Coast Guard authorization for a marine event.

(c) A certificate of personal watercraft operation shall be issued under subsection (b) of this section to any applicant who provides proof that such applicant has: (1) Successfully completed a combined course in safe boating operation and safe personal watercraft handling approved by the commissioner, which courses include, but are not limited to, courses offered by the United States Power Squadrons, Coast Guard Auxiliary or other similar organization, (2) been issued or has satisfied the requirements for issuance of a safe boating certificate and successfully completed a course in safe personal watercraft handling approved by the commissioner, which include, but are not limited to, courses offered by the United States Power Squadrons, Coast Guard Auxiliary or other similar organization, or (3) successfully passed an equivalency examination testing knowledge of safe boating operation and safe personal watercraft handling administered by the commissioner.

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[(c)] (d) The commissioner may adopt regulations, in accordance with the provisions of chapter 54, establishing the content of courses in safe personal watercraft handling. Such regulations may include provisions for examinations, issuance of certificates of personal watercraft operation and establishment of a reasonable fee for such course and examination and for the issuance of a certificate and duplicate certificate. Any fee collected pursuant to regulations adopted under this section shall be deposited in the boating account established pursuant to section 15-155.

[(d)] (e) Notwithstanding subsection (b) of this section, any person who purchases a new or used personal watercraft [after May 20, 1994,] may, upon vessel registration, apply to the Commissioner of Environmental Protection for a temporary certificate of personal watercraft operation which shall be valid for [six] three months from the date of registration, provided the applicant has successfully completed a course in safe personal watercraft handling prior to application for the temporary certificate. No person shall be issued more than one temporary certificate of personal watercraft operation.

[(e)] (f) The commissioner may enter into a reciprocal agreement with any other state which has a similar safe personal watercraft handling certificate program which the commissioner deems acceptable for purposes of this subsection. Any person who successfully completes a course in safe personal watercraft handling and holds a certificate or license from another state which has such a reciprocal agreement with the commissioner may operate a personal watercraft on the waters of this state.

[(f)] (g) Any person required to obtain a certificate of personal watercraft operation pursuant to this section shall have such certificate on board at all times while operating a personal watercraft. On demand of an officer authorized to enforce the provisions of this chapter, such person shall exhibit the certificate to the officer.

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~~[(g)]~~ (h) No passenger shall be permitted to ride in front of the operator on a personal watercraft. No passenger shall be permitted to ride upon a personal watercraft unless the passenger is able to securely hold onto the person in front of them or to the handholds on the personal watercraft, and is able to keep both feet on the deck of the personal watercraft so as to maintain balance while the personal watercraft is in operation.

(i) No person shall teach a course in safe personal watercraft handling that satisfies the requirements for issuance of a certificate of personal watercraft operation unless the commissioner has approved such course.

(j) No Department of Environmental Protection agent or employee shall use department safe personal watercraft handling course materials for personal financial gain.

~~[(h)]~~ (k) Any person who violates any provision of this section shall be fined not less than sixty dollars or more than two hundred fifty dollars for each such violation.

~~[(i)]~~ (l) A certificate of personal watercraft operation may be suspended or revoked in accordance with the provisions of section 15-133, 15-140~~l~~ or 15-140n.

Sec. 7. Section 15-141 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

As used in this part, unless the context otherwise requires: "Commissioner" means the Commissioner of Environmental Protection; "vessel" means every description of watercraft, other than a seaplane on water, used or capable of being used as a means of transportation on water, exclusive of any such watercraft used primarily for purposes of transporting commercial cargo; "motorboat" means any watercraft fitted with propulsion machinery, whether or

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not such machinery is the principal source of propulsion; "horsepower" means the rated brake horsepower of an engine at maximum operating revolutions per minute; "operate" means to navigate or otherwise use a vessel; "person" means any individual, partnership, firm, association, limited liability company, corporation or other entity; "owner" means a person, other than a lien holder, having property in or title to a vessel. The term includes a person entitled to use or possession of a vessel subject to an interest in another person reserved or created by agreement and securing payment or performance of an obligation, but the term excludes a lessee under a lease not intended as security; "marine dealer" means a person engaged in the business of manufacturing, selling or repairing new or used vessels having an established place of business for the sale, trade, display or repair of motorboats; "marine engine manufacturer" means a person engaged in the business of manufacturing, selling or repairing marine engines having an established place of business for the sale, trade, display or repair of marine engines; "marine engine" means an engine manufactured for use or used in vessels; "federal Boat Safety Act of 1971" means an Act of Congress approved August 10, 1971, Public Law 92-75, and "boat livery" means a business that is engaged in the commercial rental of vessels, including, but not limited to, personal watercraft.

Sec. 8. Section 15-150 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) Each boat [liveryman] liveryperson shall keep a record of the name and address of every person who rents a vessel, the registration number thereof, if applicable, the departure date and time and the expected time of return. The record shall be preserved for at least one year.

(b) Any operator of a vessel rented from a boat livery shall carry on board such vessel and make available for inspection the original or a

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copy of the written rental agreement for such rental, signed by the owner of the boat livery or such owner's agent and by the person renting the vessel, stating the length of time for which such vessel is being rented, the identity of the person who rented the vessel and the vessel number which appears on the certificate of number, if vessel registration is required.

[(b)] (c) Neither the owner nor any agent or employee of a boat livery shall permit any vessel which is rented to depart from the livery premises unless it is provided, either by the owner or lessee, with such safety devices and equipment as may be required by law.

(d) Neither the owner nor any agent or employee of a boat livery shall permit any vessel which is rented to depart the boat livery unless such vessel is registered and numbered properly as a livery boat, if required. Except as provided in subsection (a) of section 15-144, if the vessel is required to be registered and numbered as a livery boat, the certificate of number shall be carried aboard and made available for inspection upon the vessel for which it is issued.

(e) Neither the owner nor any agent or employee of a boat livery shall permit an operator of any vessel which is rented to depart from the boat livery without a safe boating certificate or certificate of personal watercraft operation, if such operator is required by section 15-140e, as amended by this act, and section 15-140j, as amended by this act, to have a safe boating certificate or certificate of personal watercraft operation.

[(c)] (f) Violation of any provision of this section shall be an infraction.

Approved April 29, 2008